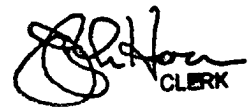


**FILED**

**MAR 18 2010**

  
CLERK

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

CENTRAL DIVISION

IMAGINE, LLC,

Plaintiff,

vs.

NORMAN H. LESLIE, Individually, and  
doing business as LEXSTAR  
DEVELOPMENT AND CONSTRUCTION,  
ROBERT LESLIE, Individually, and doing  
business as LEXSTAR DEVELOPMENT  
AND CONSTRUCTION, LEXSTAR  
DEVELOPMENT AND CONSTRUCTION  
COMPANY, LLC, and PRAIRIE DESIGN  
STUDIO, LTD.,

Defendants.

CIV 09-3013-RAL

ORDER GRANTING PLAINTIFF'S  
MOTION TO REMAND TO STATE  
COURT DUE TO LACK OF  
SUBJECT MATTER  
JURISDICTION

On March 16, 2010, the Court held a motions hearing at which all parties were represented. For the reasons set forth during the motion hearing and for good cause, it is

ORDERED that Plaintiff's Motion to Remand to State Court Due to Lack of Subject Matter Jurisdiction (Doc. 34) is granted. It is further

ORDERED that the Motion to Compel Arbitration (Doc. 24) is moot as the Court lacks subject matter jurisdiction due to a lack of diversity of citizenship under 18 U.S.C. § 1332 or another independent grounds for jurisdiction.

Dated March 18, 2010.

BY THE COURT:

/s/ Roberto A. Lange

ROBERTO A. LANGE  
UNITED STATES DISTRICT JUDGE